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HOUSE FILE NO. 166

FIRST COMMITTEE ENGROSSMENT

January 22, 2009

Authored by Sanders and Atkins

The bill was read for the first time and referred to the Committee on Commerce and Labor

Referred by Chair to Labor and Consumer Protection Division.

February 13, 2009

Returned to the Committee on Commerce and Labor as Amended.

1.1 A bill for an act
1.2 relating to consumer protection; prohibiting retail sales of toys that have been
1.3 recalled for safety reasons; proposing coding for new law in Minnesota Statutes,
1.4 chapter 325F.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. **[325F.135] UNSAFE RECALLED TOYS; PROHIBITION ON SALE.**

1.7 (a) No commercial retailer shall sell in this state a toy that the commercial retailer
1.8 knows at the time of the sale has been recalled for any safety-related reason by an agency
1.9 of the federal government or by the toy's manufacturer, wholesaler, distributor, or importer.

1.10 (b) For purposes of this section, "toy" means an item designed primarily for the
1.11 purpose of play activity by children under the age of 12 years and "recalled" excludes
1.12 corrective actions that involve safety alerts, parts replacement, or consumer repairs.

1.13 (c) This section shall be enforced under sections 325F.14 to 325F.16.

1.14 **EFFECTIVE DATE.** This section is effective August 1, 2009.